

1887-049 Chancery Causes: Rolan Seay & CoJ vs. A. J. Bailey
Lee Co.

Rolan, Seay, Williams

CA-Debt
T-Property

To the Honorable John A. Kelly Judge of the
Circuit Court of Lee County Virginia.

Humly complaining your orators. L. M. Ralen
L. S. Seay & G. R. Williams Merchants & partners
in trade under the firm name and style of
Ralen Seay & Co. would respectfully show your
honor that heretofore, to wit, on the day of
March 1885, they obtained in said Court a
Judgment against one A. J. Bailey of said County
for the sum of \$66.77 with legal interest thereon
from the 17th day of July 1883, until paid & \$8.13
costs, on this ^{Judgment and} execution was issued on the 2nd
day of April 1885 and placed in the hands of R.
D. Flanery Sheriff of said County to be executed,
and on the return day thereof was returned by
said Sheriff to the Clerk's office of said Court
with the following return endorsed thereon, to wit:
"No property found, R. D. Flanery S. L. C." Said Judg-
ment was also docketed in the Judgment lien docket
in the Clerk's office of the County Court of said County
on the day of 1885. A copy of said
Judgment & the docketing of the same is herewith
filed as part hereof marked "A" and a copy
of said execution together with the return thereon
endorsed is herewith filed marked "B".

Your orators will now further show your honor
that the said A. J. Bailey is the owner of certain
real estate in said County, consisting of three tracts,
containing $137\frac{1}{2}$ acres, situated in the Crab Orchard.

and adjoining the lands of

and your orators are advis-

ed that their said judgment is a lien upon said real estate. Your orators will further state that Frank McNulty & Salomon George late merchants & partners in trade under the firm name & style of McNulty & George have a judgment against said Bailey for the sum of \$56.30 with legal interest thereon from the 8th day of June 1883, until paid and \$1.00 costs, obtained before H. B. Polger a Justice of the Peace of said County on the 21st day of October 1884. Subject to a credit of \$13.44 Decr 16th 1884, which is also a lien upon said real estate and prior to your orators; and that the rents and profits of said real estate will not in five years pay off and discharge said liens. In tender consideration whereof, forasmuch as your orators are remediless in the premises save by the aid of a court of equity where matters of this kind are alone and properly cognizable. Your orators pray that the said A. J. Bailey and Frank McNulty & Salomon George late Merchants & partners in trade under the firm name & style of McNulty & George, be made parties defendants to this bill and be required to answer the same on oath; that the said real estate or so much thereof as may be necessary, be sold to satisfy said judgment liens, and that process issue &c. and that general relief be granted your orators &c.

Richmond, Dineen & Orr.
for complainants.

Clerk 5.54
 50 50
 15.00
 Estimate 731.04
 6.00
 57.00
 Add for 10
 27.91

Nelson Seay Rec.

vs Bill in Chy.

A. L. Bailey.

1885. June Bill Filed.

" July Sp. & d. & C. & C.

" Aug. D. & C. & C.

+ Cause set for hearing.

1885 Aug. Term Decree Cont'd.

" Nov. Continued.

Rolan, Senyolo. Compts.

vs.

A. J. Bailey Deft.

} In Chanc.

This cause came on again to be heard upon the papers formerly read in said cause, and it being stated in court by the counsel of pl'tffs. ~~counsel~~ that said Bailey had paid to said counsel the full amount of said plaintiffs debt and the costs of this suit, the court on consideration thereof, orders said cause to be stricken from the docket.

Nolan Grayson
vs } Ocean final
A. J. Bailey

Entered page 47

C.O.B. No. 3

J. H. Hyatt Co.

Enter this
H. L. K. M.
Dec. 8/87

Rolen Deay & co
against

Plaintiffs

A. J. Bailey & als

Defendant

In chancery

This cause came on this day to be heard on the bill & exhibits therewith, and was argued by counsel and it appearing to the court that process has been executed on the defendant Bailey the time required by law and he failing to appear and answer, and the defendants McNulty & George appearing by their counsel and consenting to this decree, On consideration thereof, it is adjudged, ordered and decreed that the plaintiffs recover against the defendant Bailey \$74.89 with legal interest on \$66.77 part thereof from the 17th day of July 1883 until paid and the costs of this suit and unless the same together with the amount of the prior judgment lien in favor of said McNulty & George against said Bailey is paid by said Bailey or some one for him within 30 days from the rising of this court then G. F. Duncan who is hereby appointed a commissioner for the purpose will proceed on some court day, at the front door of the court house of this county, to sell to the highest bidder on a credit of six, twelve & eighteen months the land in the bill mentioned, or so much thereof as may necessary to pay and satisfy the amount herein decreed in favor of the plaintiffs and also the amount of the judgment in favor of the said McNulty & George against said def^t Bailey

Said Commissioner before selling will advertise the time and place of sale for at least 30 days at the front door of the Court house of this County and in the vicinity of said land. But before acting under this decree said Commissioner will execute bond before the Clerk of this Court in the sum of \$300.⁰⁰ Conditioned to faithfully perform and discharge the duties devolving upon him as such Commissioner in this case, and will report his action to a future term of this Court, and the cause is continued.

Helen Seay v Leo

033 Decree No 1.

J. A. J. Bailey

Entered Page 464

J. B. Gibson, Clerk.

Enter this decree.

Aug 27th 1885.

J. A. K.

March 30th 1883. Rolan Beary & Co.

v8

Plffs.

} In Debt.

A. J. Bailey of Lee Co Va. Deft)

Judgment for \$66.77 with legal interest thereon
from the 17th day of July 1883 till paid and the costs

Docketed

April 25th 1885.

\$ 4.87 \$.50 Co \$.25

Acqfy

Teste John R. Gibson clerk.

Reason & Ho
vs Judgment

A. J. Bailey

"A"

The Commonwealth of Virginia,

To the Sheriff of Lee County--Greeting:

We Command You, That of the Goods and Chattels of

A. J. Bailey

late in your Bailiwick, you cause to be made \$ *66.77*, with legal interest thereon from the *17th* day of

July, 1883, till payment, which *Rolen Seay & Co*

lately in our Circuit Court of Lee County, ha *e* recovered against *him* by suit for *Debt*

Also, \$ *8.12*, which to the said *Rolen Seay & Co*

in our Court were adjudge for *their* costs in

that behalf expended, whereof the said

A. J. Bailey

dis convicted, as appears to us of record. And that you

have the same before the Judge of our said Court at the Court House on the first Monday in

next, to render to the said

Rolen Seay & Co

of the *Debt* and costs as aforesaid. And have then and there this Writ.

Witness, J. A. G. HYATT, Clerk of our said Court, at the Court House, this *2nd* day of *April*

1885, in the 10 *7* year of the Commonwealth.

J. A. G. Hyatt Clerk.

66 4.87
66 .25
63 .50
6 2.50
\$8.12

208/ Circuit R. 840
Mar. 30

Proctor Seay & Co

vs $\frac{3}{4}$ fi fa

A. J. Bailey

Ex June Rules 1885

No property found

R. D. Hawans & Co

J

VIRGINIA, Lee County--To Wit

To S. H. Balen Constable of Said County:

I HEREBY COMMAND YOU TO SUMMON A. J. Bailey if to be
found in your District to appear at my office in said County, on the 27th day of Oct 1884
before me or such other Justice of said County as may then be there to try this Warrant: to answer the complaint of
Mc Nulty & George and upon a claim for money not exceeding \$100 00, exclusive of interest, to wit: for the
sum of \$56³⁰ due by Note. And then and there make return of this Warrant Given under my hand, the 17th
day of June 1884. H. C. Goslyn J. P.

Mc Nulty & George AGAINST A. J. Bailey } On the 21st day of Oct 1884
} In Debt. } At Jonesville in sai County.
JUDGMENT. That the Plaintiff recover of the Defendant, \$ 56³⁰ with interest thereon from the 8th day of
June 1883 till paid: and \$ 1⁰⁰ for costs H. C. Goslyn J. P.

VIRGINIA, Lee County--To wit:--To S. H. Balen Constable of said County
I command you, in the name of the Commonwealth of Virginia, that of the goods and chattles of A. J. Bailey
in your county, you cause to be made the sum of \$56³⁰ with interest thereon from the 8th day of June
1883 till paid: which Mc Nulty & George has recovered before me in a warrant in debt and also
the sum of \$ 1⁰⁰ which were adjudged to the said Mc Nulty & George for costs in prosecuting
said warrant Given under my hand the 21st day of Oct 1884. H. C. Goslyn J. P.

Mr. Muth & George
Warrant
A. J. Bailey

Executed July 17 - 1884

H. S. Clem - 686

Orly cash
1884
13.47
Dec 16 - 1884

VIRGINIA, Lee County--To Wit

To S. H. Balen Constable of Said County:

I HEREBY COMMAND YOU TO SUMMON A. J. Bailey if to be
found in your District to appear at my office in said County, on the 22 day of Oct 1884
before me or such other Justice of said County, as may then be there to try this Warrant: to answer the complaint of
S. B. Luttrell and upon a claim for money not exceeding \$100 00, exclusive of interest, to wit: for the
sum of \$ 27⁶⁷ due by Note. And then and there make return of this Warrant Given under my hand, the 17th
day of June 1884. H. C. Joslyn J. P.

S. B. Luttrell AGAINST A. J. Bailey
On the 21st day of Oct 1884.
In Debt. Jonesville in said County.
At Jonesville
JUDGMENT. That the Plaintiff recover of the Defendant, \$ 27⁶⁷ with interest thereon from the 8th day of
June 1883 till paid: and \$ 1⁰⁰ for costs H. C. Joslyn J. P.

VIRGINIA, Lee County--To wit:--To S. H. Balen Constable of said County
I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of A. J. Bailey
in your county, you cause to be made, the sum of \$ 27⁶⁷ with interest thereon from the 8th day of June
18 83, till paid: which S. B. Luttrell has recovered before me in a warrant in debt and also
the sum of \$ 100 which were adjudged to the said S. B. Luttrell for costs in prosecuting
said warrant Given under my hand the 21st day of Oct 1884. H. C. Joslyn J. P.

Subject to a credit of \$20.00 paid June 19/83
Credit of \$20.00 paid June 19/83

0
5
5

S. B. Luntrell
V.S. Marrant
A. J. Bailey

Executed July 17 = 1884
S H Bolin & L

Satisfy ed in full

Dec 10 = 1884 \$9.81
S H Bolin & L

Filed May 13 " 1885
J. R. Brown clk

2	0	250
1	0	24
14	4	<u>225</u>

836
<u>1000</u>
9136
<u>1000</u>
81036

2256
<u>1036</u>
1219

Know all men by these presents that we
~~J. C. L. Gorman~~
~~James W. Orr~~ and
are held and firmly bound unto the Common-
wealth of Virginia, in the just and full sum of
Three Hundred (300) Dollars, for the true payment
thereof promptly to be made to the said Comths,
we each bind ourselves heirs &c, and we
as to this bond hereby waive our Homestead
exemptions, witness our hands and
Seals this January the day 1886

The Conditions of the above obligation
is such that whereas the above bound James
W. Orr, was, by a decree rendered in the
Chancery Cause of Rolan Sneyd Co vs A. J. Bailey
at the Aug. Term 1885; appointed a commissioner,
and directed to sell certain lands mentioned
in said Cause, Now therefore should the
said Orr, faithfully perform the duties
assigned him and promptly and justly
pay over such sums of money as he may
receive under said decree, then this obligation
to be void, otherwise to remain in full
force and virtue.

Seal
Seal

Robert Leay & Co
& Co. v. R.

vs Bond

A. J. Bailey

Filed Jan'y 1886

J. A. G. Hyatt & Co

The Commonwealth of Virginia,

To the Sheriff of Lee County--Greeting:

WE COMMAND YOU to summon

A. J. Bailey

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House, on the first Monday in

July next, being Rule Day, to answer a Bill in Chancery exhibited in our Court against
him, by *T. M. Rolan, T. S. Seay & G. R. Williams*
merchants and partners in trade under the
firm name and style of Rolan Seay & Co

And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said Court, at the Court House,
this *25* day of *June*, 188*5*, in the 10*7* year of the Commonwealth.

J. A. G. Hyatt, Clerk.

A Copy---Teste:

J. A. G. Hyatt CC

D. R. & Co

Rolen Seay & Co

no $\frac{1}{3}$ Spa in Chey

A. J. Bailey

To July Rules 1885

Executed by handing
an office copy of this
Spa to A. J. Bailey
June 29th 1885-

R. S. Flannery S L & Co